



Interview Summary: Superintendent Mike McDonell (Ontario Provincial Police)

Superintendent Mike McDonell was interviewed by Frank Au, Eric Brousseau, Mark Pritchard and Étienne Lacombe on August 16, 2022. Questions about this summary can be directed to Frank Au.

Text contained in [square brackets] are explanatory notes provided by Commission Counsel to assist the reader.

Background

Background on Superintendent McDonell

Superintendent McDonell has worked with the Royal Canadian Mounted Police (**RCMP**) and the Ontario Provincial Police (**OPP**) for over four decades, occupying leadership roles with responsibilities for major events including the 2010 Olympics, the G20 summit, and the Pan American/Parapan American Games. He also held leadership roles in numerous national and international organized crime and national security criminal investigations. He had experience as Critical Incident Commander and Major Incident Commander, and was responsible for the Provincial Operations Centre (**POC**) and the Emergency Operations Centre (**EOC**). During the Freedom Convoy events, Superintendent McDonell's role evolved as the events unfolded, but generally consisted of managing and coordinating the flow of information relative to the OPP's situational awareness and response.

Incident Command System

Superintendent McDonell detailed the three levels of the Incident Command System used by the OPP: the incident command (**IC**), the critical incident command (**CIC**), and the major critical incident command (**MCIC**). They are also known in the RCMP as the bronze, silver, and gold levels, respectively. The Ontario Association of Chiefs of Police (**OACP**) also developed an incident command structure with five levels of incident response. Levels 300 to 400 correspond to the CIC level, and level 500 corresponds to the MCIC level. These commands can be deployed by a police force in response to public safety events, depending on the severity of the situation:

- An IC is set up in response to any major incident that exceeds the capacity of a local OPP detachment, such as managing a traffic plan when, for example, a downtown area has been closed due to a fire. It is tasked with the operational aspect of normalizing a situation and all OPP detachments are expected to have IC-level commanders.
- A CIC is set up in response to more severe incidents, such as responses to a firearm situation. In such a case, the role of the CIC is to isolate the perimeter of



the incident, contain the person who poses the threat to public safety, evacuate the surrounding area, make contact with the armed person, and attempt to de-escalate the situation through negotiations. The CIC is tasked with resolving the incident, utilizing an integrated team (multi-discipline; TRU, ERT, Crisis Negotiators, Investigators, etc.) to negotiate a peaceful surrender or, if necessary, approve and deploy a tactical intervention.

- A MCIC is set up in response to one or more incidents that require operational coordination, balancing resources, and maintaining contingency plans. The MCIC is the focal point of all information flow, monitoring and guiding the actions of CICs deployed to the individual incidents, thus providing the broadest possible view of the situation.

OPP has adopted a rigorous CIC training program. CIC candidates must complete a 5-week course that includes instruction on specialized police units' capabilities and how to harmonize them, as well as considerable scenario-based training. THIS IS FOR CICs ONLY. After completing the CIC course, CIC candidates are supervised in the field until they constructively resolve an armed hostage incident with a barricaded person. CICs and MCICs must subsequently complete yearly training, especially on explosive forced entry. CICs are expected to be calm and to provide a sober second thought on the events. This training must be completed by both CICs and MCICs and calm demeanour is expected of them.

Application of Incident Command Levels to the Freedom Convoy

Superintendent McDonnell explained that the Freedom Convoy progressed from an IC-level event to a MCIC-level event in January-February 2022. Before its arrival in Ottawa, the Freedom Convoy was an IC-level traffic event where the OPP's principal role was to ensure public safety, manage the flow of traffic on highways (specially to ensure any impediments to the normal flow of commerce created by the volume of the Freedom Convoy were minimized) and to keep them safe. When the Freedom Convoy arrived in Ottawa on January 28-29 and occupied Wellington Street, the Freedom Convoy escalated to a CIC-level event due to the anti-government rhetoric and threats of violence by protestors, as well as the potential threats posed by protestor vehicles. By early February, the Freedom Convoy escalated to a MCIC-level event because multiple incidents and protests emerged in different cities and ports of entry.

Strategic & Operational Commands Distinguished – Importance of CIC Autonomy

Strategic command is provided by senior police leaders as a backstop to the operational command (CIC or IC). The strategic commander's role is to ensure that information is flowing to the CIC and that the CIC has the resources required to manage the incident. The strategic commander supports the CIC by maintaining overall situational awareness and enables the CIC to focus on managing the incident.

The strategic commander and CIC superiors are expected to respect the CIC's autonomy to make operational decisions. The CIC needs autonomy to be able to quickly identify

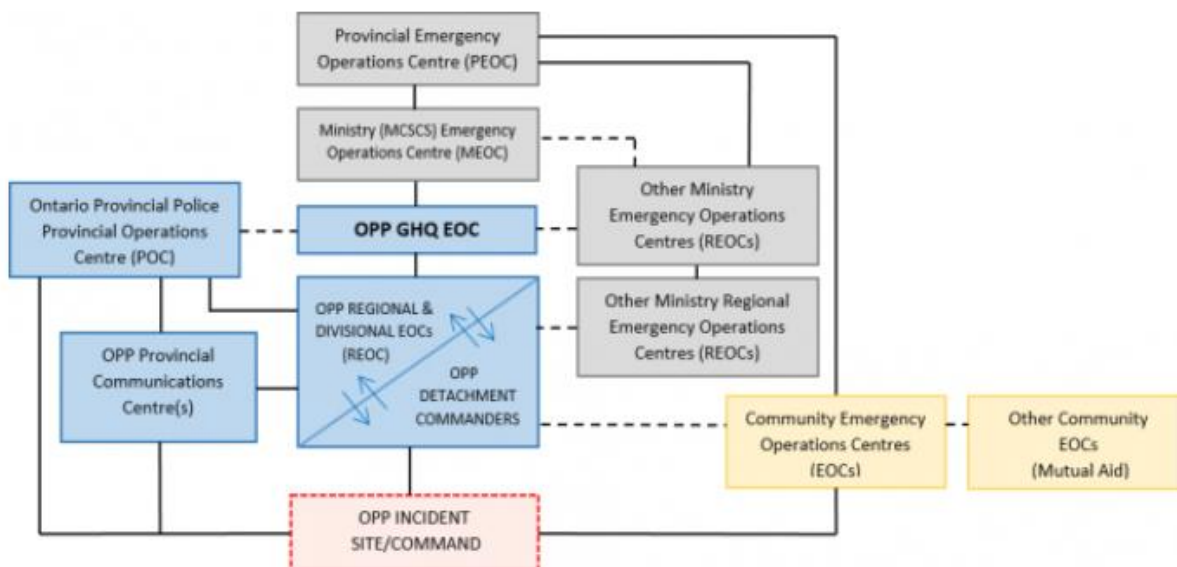


and exploit opportunities to resolve the incident. The CIC also needs to be able to concentrate on the incident and on the advice received from subject-matter experts (**SMEs**). OPP CIC training emphasizes the importance of the CIC's operational independence. Superintendent McDonnell stated that he always trusted that his superiors would support his decisions as CIC and that he had never experienced strategic commanders or superiors questioning his decisions as CIC or attempting to become heavily involved in CIC-level decision-making.

Role During the Freedom Convoy

Superintendent McDonnell was involved from the beginning of the Freedom Convoy-related events and his role evolved significantly as the events unfolded. At first, he was coordinating and coaching staff in the EOC to watch different sources of information and to connect them with other police agencies.

The OPP General Headquarters Emergency Operations Centre (**OPP GHQ EOC**) is configured and operationalized utilizing the Incident Management System for Ontario. The OPP GHQ EOC is organized within the whole of the provincial emergency management coordination framework as follows:



Superintendent McDonnell was also ensuring proper communication between the EOC and the POC.

The POC is designed to fulfill the requirements of a modernized central command for OPP Operations. There is an Inspector, Sergeant and Operational Analyst available 24/7/365.

The POC vision is to act as an information management concept; a central provincial communication linkage; to provide provincial tracking of operations; to act as a true



operational Duty Office and a single point of contact for senior executives, OPP personnel, other government agencies and police services to access situational awareness for the Province of Ontario.

The POC's mission is as follows:

- Increase situational awareness
- Provide tactical intelligence
- Effectively manage asset allocation
- Communicate clearly and concisely

Superintendent McDonell's responsibilities included a daily environmental scan, reviewing intelligence about the convoy prior to its arrival in Ottawa, and alerting the OPP Commissioner Thomas Carrique to known risks relating to the Freedom Convoy. His first involvement was a call with Intelligence on January 21, 2022 about the direction of the convoy and the resources in place to build intelligence packages.

As the Freedom Convoy reached Ottawa on January 28, 2022, and beyond, Superintendent McDonell became more involved with balancing deployment of Public Order Units (**POU**) based on the needs for such resources across Ontario. He was a member of the OACP Emergency Management Committee and co-chair of the Canadian Association of Chiefs of Police Emergency Preparedness Committee, which facilitated the needed coordinating role, which he assumed. As protestors began targeting Toronto and Windsor, it became clear there were finite resources that needed to be coordinated.

Starting February 3, 2022, Superintendent McDonell participated in numerous meetings of large groups of senior police leaders. These groups included:

- Senior police tactical operations managers (Inspector/Superintendent/Chief Superintendent level)
- Executive police leaders (Chief/Deputy Chief)
- Senior police leaders responsible for specific incidents (e.g. Ottawa illegal protest, Ambassador Bridge blockade)

At these meetings, OPP Superintendent Pat Morris provided intelligence briefings while affected police services provided updates on the situation on the ground and what they were expecting over the following days.

On February 4, 2022, Superintendent McDonell started working with the Windsor Police Service (**WPS**) after receiving a call from then-Superintendent Jason Crowley of WPS.

Superintendent Crowley advised Superintendent McDonell of the possibility of traffic slowdowns to, and potential blockade of, the Ambassador Bridge. Shortly thereafter, working with Toronto Police Service Staff Superintendent Peter Moreira and Waterloo Regional Police Superintendent Tom Berczi, Superintendent McDonnell began to focus on coordinating Ontario policing limited POU teams in Ontario (organized as the eastern, central, and western POU hubs) for deployment in different regions.



Toronto Police Service (**TPS**) led the central hub, which included 292 TPS POU officers, 52 Durham Regional Police Service POU officers, 104 York Regional Police POU officers, and 31 Greater Sudbury Police Service POU officers and required OPP POU sections. The western hub included small POU teams from Peel Regional Police, London Police Service, Waterloo Regional Police Service, and Hamilton Police Service and required OPP POU sections. The eastern hub did not include Ottawa Police Service (**OPS**) because OPS was occupied managing the Freedom Convoy in Ottawa. Superintendent McDonnell facilitated the coordination of the POU teams and ensured that Commissioner Carrique had as full an operational picture as possible.

On or around February 9, 2022, Superintendent McDonnell coordinated Commissioner Carrique's calls with the "Big 12" police services to provide these Chiefs with a clear common operating picture and harmonize their responses to Convoy-related events ["Big 12" refers to the police services of Durham, Halton, Hamilton, London, Niagara, Ottawa, Peel, Sudbury, Toronto, Waterloo, Windsor, and York]. Those meetings began on February 10, 2022, and from that point on, Superintendent McDonnell got more involved in information sharing among those police services.

After Ontario declared a state of emergency on February 11, 2022, Superintendent McDonnell worked on interpreting the provincial emergency regulations and sharing the information and law enforcement opportunities to OPP members and external policing partners.

Police Response in Windsor

OPP discussions with Windsor began on February 4, 2022.

On the evening of February 6, 2022, then-Superintendent Crowley requested help and the OPP immediately sent about 35 cars with accompanying personnel to come up with a traffic plan [in response to the Ambassador bridge blockade] to assist the WPS.

"Unified Command" (**UC**) occurred quickly in Windsor. OPP Commander (Superintendent Dana Earley) and WPS Commander (Superintendent Crowley) took turns leading UC.

[UC is a command cell comprising qualified leaders from differing agencies and/or differing police disciplines. When a threat to public safety is or remains imminent, or when rapid decision-making within a time constrained environment is required, the MCIC is the ultimate decision-maker. Their decisions emanate as much as possible from a common operating picture developed in concert with investigations and intelligence. As the event evolves and an increased potential for communication, dialogue and collaboration is realized, command decisions are the responsibility of the commanders of the capability deemed to be the greatest method of influencing the event.]

UC worked well in Windsor because of sound policing. The CICs had resolution and restoring order in mind from the start. They were set on using all the lawful authorities to which they had access. They started finding little opportunities to take ground. For instance, police in Windsor denied protestors access to the back of the port of entry. By



blocking off those streets, they could concentrate their efforts on a 180-degree arc rather than a full circle. They started towing right away and were enforcement oriented.

Setting up UC early in Windsor was crucial to police's success. It made for a collegial environment that was solution oriented. UC was also favourable because reactions to developments in Windsor would impact other highways and border crossings in the OPP's jurisdiction.

Police Response in Ottawa

Superintendent McDonnell was surprised that OPS allowed the trucks into the downtown core, and at the quick and easy manner the protesters took control of the area. In his view, OPS should have prevented the trucks from entering the city core, just as police had done in planning for major events such as Canada Day. To Superintendent McDonnell's knowledge, the OPP did not discuss with the OPS a strategy to not let the trucks into downtown. The OPS is well versed in public order given the frequency of protests in the capital. Superintendent McDonnell's expectation was that OPS would be able to manage the event. The OPP recognizes that proper planning requires balancing everyone's rights, including the *Charter* rights of protesters and the interests of Ottawa residents to peace and order. In Superintendent McDonnell's view, any plan must incorporate alternative options, more commonly known as having a "plan B" and "plan C."

As part of the broader role taken on by the OPP in assisting OPS and coordinating police services on a provincial level in response to the Freedom Convoy-related demonstrations, OPP Chief Superintendent Carson Pardy led the OPP and other police agency representation in the Integrated Resource Planning Team (**IRPT**) assigned to the National Capital Region. The IRPT was composed of SMEs from across the province (including some of the best planners in the OPP and TPS). The role of the IRPT was to support the OPS and share its knowledge and expertise, to foster a collaborative relationship and create a cell of collective leadership. The IRPT was there to help OPS with whatever it needed. According to Superintendent McDonnell, Deputy Chiefs Bell and Ferguson responded positively to the IRPT's efforts.

Superintendent McDonnell did not respond positively to Chief Sloly's initial request for 1,800 officers. He found that there was no plan to back up the numbers (e.g. a breakdown of the types of officers required), and it was difficult to allocate finite OPP resources without a proper operational plan.

On February 10, 2022, OPP issued a provincial mobilization notice to redeploy detachment and non-frontline members of the OPP to the frontline in response to "emerging and ongoing demonstrations across the province".¹ Superintendent McDonnell explained that these members have their daily duties and that redeploying them was not a simple task. The OPP needed to know how these officers would be used in the protest

¹ *ECT Provincial Mobilization Notice*, February 10, 2022: **OPP00000003**.



areas so that they could weigh the value of the redeployment compared to what these officers were typically doing.

The flow of communications from the OPS to the IRPT improved on February 12, 2022, when the OPS launched its integrated command centre.

After Chief Sloly's resignation, the OPS changed its posture. On or around February 16, 2022, resources were drawn from across the country to support the operational plan developed by the OPS and IRPT (a process that began well before Chief Sloly's resignation) and to provide for the contingencies identified through the planning process.

Superintendent McDonnell explained that the OPP deployed 988 members over the course of the protest to Ottawa and that this was the largest unplanned OPP deployment in history.² According to him, resources were deployed more quickly in Windsor because they had immediately created an integrated planning cell, blending the different capacities of the WPS, RCMP and OPP and a WPS willingness to frankly engage with outside partners.

Invocation of the Emergencies Act

To manage events like the Freedom Convoy, police often rely on the *Criminal Code* charges of mischief or intimidation by blocking or obstructing a highway. Police also rely on *Highway Traffic Act* offences and common law powers. Injunctions may also be a consideration.

According to Superintendent McDonnell, the emergency powers were helpful but not necessary. The psychological effect of the emergency declarations (and particularly the restriction on bringing minors to the protest areas and the *Emergency Economic Measures Order*) could have discouraged protesters from staying or joining the protest areas, thereby reducing the protest footprint.

However, there was sufficient lawful authority for police to restore order before the provincial or federal declaration of emergency. Police do not require further authorities to respond to events like those in January and February 2022.

² *Compiled FTE Counts Ottawa*, March 3, 2022: **OPP00000017**.